

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.202(b))	MB Docket No. 04-169
Table of Allotments,)	RM-10760
FM Broadcast Stations.)	
(El Indio, Texas))	
)	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: October 27, 2004

Released: October 29, 2004

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division considers herein the *Notice of Proposed Rule Making* ("Notice")¹, issued at the request of Charles Crawford ("Petitioner"), proposing the allotment of Channel 236A to El Indio, Texas, as that community's first local aural transmission service. Petitioner filed comments reiterating an intention to apply for Channel 236A if allotted to El Indio, as requested. No counterproposals or additional comments were received in response to this proceeding.

2. In view of the interest expressed in providing a first local aural transmission service to El Indio, Texas, we will allot Channel 236A to that community, as requested. As discussed in the *Notice*, El Indio is a Census Designated Place with a 2000 U.S. Census population of 263 persons. El Indio has its own post office and zip code, community center, several churches and a number of local businesses serving the residents of the community. Channel 236A can be allotted to El Indio, in compliance with the Commission's minimum distance separation requirements, provided there is a site restriction of 1.3 kilometers (0.8 miles) southeast of the community at coordinates 28-30-22 NL and 100-18-03 WL. Additionally, Mexican concurrence was requested for the El Indio allotment since the community is located within 320 kilometers of the U.S.-Mexican border. The Mexican government has accepted concurrence for this allotment.

3. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

4. Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective December 13, 2004, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED, with respect to the community listed below, to read as follows:

<u>Community</u>	<u>Channel No.</u>
El Indio, Texas	236A

¹ See *El Indio, Texas*, 19 FCC Rcd 8079 (MB 2004).

5. The window period for filing applications for Channel 236A at El Indio will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent order.

6. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

7. For further information concerning this proceeding, contact Rolanda F. Smith, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau